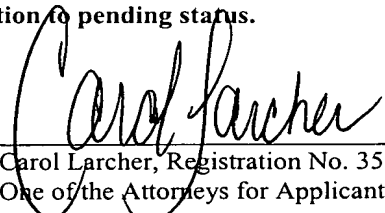


U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 AND 37 CFR 1.491		ATTORNEY DOCKET NO. P2142US U.S. APPLICATION NO. 10/528,311 PRIORITY DATE CLAIMED 19 September 2002 (19.09.2002)
INTERNATIONAL APPLICATION NO. PCT/US2003/029684	INTERNATIONAL FILING DATE 19 September 2003 (19.09.2003)	
TITLE OF INVENTION CANCER IMMUNOTHERAPY WITH A VIRAL ANTIGEN-DEFINED, IMMUNOMODULATOR-SECRETING CELL VACCINE		
APPLICANT(S) FOR DO/EO/US Ambinder et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 and 37 CFR 1.491.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371 and 37 CFR 1.491.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)).		
4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
11. Nucleotide and/or Amino Acid Sequence Submission <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper Copy c. <input checked="" type="checkbox"/> Statement verifying identity of above copies 		
Items 12 to 19 below concern other document(s) or information included:		
12. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <ul style="list-style-type: none"> <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of non-U.S. patent publications Documents 		
13. <input type="checkbox"/> An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
14. <input type="checkbox"/> A FIRST preliminary amendment. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A change of power of attorney and/or address letter.		
17. <input type="checkbox"/> Application Data Sheet Under 37 CFR 1.76		
18. <input checked="" type="checkbox"/> Return Receipt Postcard		
19. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements Under 37 CFR 371		

U.S. APPLICATION NO. 10/528,311.		INTERNATIONAL APPLICATION NO. PCT/US2003/029684		ATTORNEY DOCKET NO. P2142US	
20. The following fees are submitted: <input type="checkbox"/> a) Basic national fee.....\$300.00 <input type="checkbox"/> b) Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100.00 All other situations\$200.00 <input type="checkbox"/> c) Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00 International Search Report prepared and provided to the Office.....\$400.00 All other situations.....\$500.00 <div style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</div>				Calculations	PTO Use Only
				\$0.00	
				\$0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50=		x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	-20=		x \$50.00	\$0.00	
Independent Claims	- 3 =		x \$200.00	\$0.00	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS=				\$0.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL=				\$0.00	
Processing fee of \$130.00 (\$65.00 for small entity) for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.				\$0.00	
TOTAL NATIONAL FEE=				\$0.00	
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property				+	\$
TOTAL FEE ENCLOSED=				\$0.00	
				Amount to be: refunded	\$
				charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fee is enclosed. b. <input type="checkbox"/> Please charge Deposit Account No. 07-0181 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-0181. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer Number: 08968					
Gardner Carton & Douglas LLP 191 N. Wacker Drive, Suite 3700 Chicago, Illinois 60606-1698			 Carol Larcher, Registration No. 35,243 One of the Attorneys for Applicant(s)		
Date: March 24, 2006					

U.S. APPLICATION NO.
10/528,311.

INTERNATIONAL APPLICATION NO.
PCT/US2003/029684

ATTORNEY DOCKET NO.
P2142US

CERTIFICATION UNDER 37 CFR 1.10

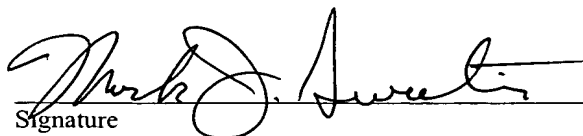
"Express Mail" Label Number: **EV264895174US**

Date of Deposit: March 24, 2006

I hereby certify that this express request to begin national examination procedures under 35 U.S.C. 371(f) of the International Patent Application referenced above, including all of the items listed thereon as enclosures, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Attention: DO/EO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Mark J. Sweetin

Printed Name of Person Signing:


Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ambinder et al.

Application No. 10/528,311

Filed: March 17, 2005

Art Unit: Unassigned

Examiner: Unassigned

For: **CANCER IMMUNOTHERAPY WITH A VIRAL ANTIGEN-DEFINED,
IMMUNOMODULATOR-SECRETING CELL VACCINE**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir

Applicants hereby respond to the Notification of Missing Requirements dated November 2, 2005.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

2. Documents Submitted Herewith

- | | | |
|----|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | Executed Declaration of inventor(s) |
| b. | <input checked="" type="checkbox"/> | Nucleotide and/or Amino Acid Sequence Submission: |
| | | i. <input checked="" type="checkbox"/> Computer Readable Form (CRF) |
| | | ii. Specification Sequence Listing on: |
| | | (1) <input checked="" type="checkbox"/> CD-ROM or CD-R (2 copies); or |
| | | (2) <input type="checkbox"/> Paper Copy |
| | | iii. <input checked="" type="checkbox"/> Statement verifying identity of above copies |
| c. | <input type="checkbox"/> | Verified English translation of application |
| d. | <input checked="" type="checkbox"/> | Copy of the Notification of Missing Requirements. |
| e. | <input type="checkbox"/> | Substitute Drawings |
| f. | <input checked="" type="checkbox"/> | Other: Second Preliminary Amendment; return receipt postcard |

3. Fees

Application Filing Fee

APPLICATION FEES				
BASIC FEE				\$ 790.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	-20=		x \$18.00	\$
Independent Claims	- 3=		x \$88.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable	+\$300.00			\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$()
Fee Due =				\$

Late Filing of Oath or Declaration

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for ☐ other than a small entity or ☒ a small entity.

Fee Due \$ 65.00

Submitting a Translation of the Specification

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

03/29/2006 MKAYPAGH 00000141 070181 10528311

01 FC:2617 65.00 DA

Fee Due \$ 0.00

Extension of Time

☒ Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$510.00

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

03/29/2006 MKAYPAGH 00000141 070181 10528311

02 FC:2253 510.00 DA

Fee Due \$510.00

4. **Total Fee Due**

The total fee due is:

Application Filing Fee	\$0.00
Late Filing of Declaration Surcharge	\$ 65.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$510.00

Total Fee Due: \$575.00

In re Appln. of Ambinder et al.
Application No. 10/528,311

5. Fee Payment

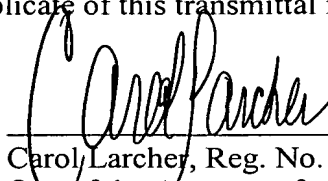
☐
☒

Attached is a check in the sum of \$
Charge Account No. 07-0181 the sum of \$575.00. A duplicate of this transmittal is attached.

6. Fee Deficiency

☒

If any additional fee is required in connection with this communication, charge Account No. 07-0181. A duplicate of this transmittal is attached.



Carol Larcher, Reg. No. 35,243
One of the Attorneys for Applicant(s)
GARDNER CARTON & DOUGLAS LLP
191 N. Wacker Drive, Suite 3700
Chicago, Illinois 60606-1698
(312) 569-1000 telephone
(312) 569-3000 facsimile
Customer No.: 08968

Date: March 24, 2006

CH02/ 22440423.1